

ARTICLE - 3

ENFORCEMENT

Section 300 Zoning Permits Required

No building, fence, or other structure shall be erected, moved, added to, structurally altered, nor shall any building, fence, structure, or land be established or changed in use without a permit therefore, issued by the zoning inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution unless the zoning inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use or variance or from the Board of Township Trustees approving a planned unit development district, as provided by this resolution.

Section 301 Contents of Application for Zoning Permit

The application for a zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one (1) year or is substantially completed within two and one-half (2 1/2) years. At a minimum, the application shall contain the following information:

- A. Name, address, and phone number of applicant.
- B. Legal description of property.
- C. Existing use.
- D. Proposed use.
- E. Zoning district.
- F. Plans in triplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alterations.
- G. Building heights.
- H. Quantity of off-street parking spaces or loading berths.
- I. Quantity of dwelling units.
- J. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this resolution.

Section 302 Approval of Zoning Permit

With thirty (30) days after the receipt of an application, the zoning inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall, however, be conditional upon the commencement of work within one year. One copy of the plans shall be returned to the applicant by the zoning inspector. The zoning inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this resolution. No permit will be issued until payment of the necessary fee is received by the zoning inspector.

Section 303 Submission to Director of Transportation

Before any zoning permit is issued affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of Transportation or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the zoning inspector shall give notice, by registered mail to the Director of Transportation that he shall not issue a zoning permit for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the zoning inspector that he shall proceed to acquire the land needed, then the zoning inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the zoning inspector that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the zoning inspector shall, if the application is in conformance with all provisions of this resolution, issue the permit.

Section 304 Expiration of Zoning Permit

If the work described in any zoning permit has not begun within one year from the date of the issuance thereof, said permit shall expire; it shall be revoked by the zoning inspector; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been substantially completed within two and one-half (2 1/2) years of the date of issuance thereof, said permit shall expire and be revoked by the zoning inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

Section 305 Certificate of Occupancy

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, converted, or enlarged in its use or structure until a certificate of occupancy shall have been issued thereof by the zoning inspector stating that the proposed use of the building or land conforms to the requirements of this resolution.

Section 306 Temporary Certificate of Occupancy

A temporary certificate of occupancy may be issued by the zoning inspector for a period not exceeding six (6) months during alteration or construction of a building pending its completion. See Section 1027 for additional information.

Section 307 Record of Zoning Permits and Certificate of Occupancy

The zoning inspector shall maintain a record of all zoning permits and certificates of occupancy and copies shall be furnished upon request to any person.

Section 308 Failure to Obtain a Zoning Permit or Certificate of Occupancy

Failure to obtain a zoning permit or certificate of occupancy shall be a violation of this resolution and punishable under Section 311 of this resolution.

Section 309 Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates

Zoning permits or certificates of occupancy issued on the basis of plans and applications approved by the zoning inspector authorize only the use, and arrangement set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this resolution, and punishable as provided in Section 311 of this resolution.

Section 310 Complaints Regarding Violations

Whenever a violation of this resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the zoning inspector. The zoning inspector shall record properly such complaint, immediately investigate, and take action thereon as provided by this resolution.

Section 311 Penalties for Violation

Violation of the provisions of this resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in various sections of this resolution or failure to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred dollars (\$100), and in addition shall pay all costs and expenses involved in the case.

Each day such violation continues after receipt of the violation notice, shall be considered a separate offense. The owner or tenant of any building, structure premises, or part thereof, any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 312 Schedule of Fees, Charges, and Expenses

The Board of Township Trustees shall by resolution establish a schedule of fees, charges, and expenses, and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of this resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the zoning inspector, and may be altered or amended only by the Board of Township Trustees. Until payments of fees have been made, no action shall be taken on any application or appeal.

Section 313 Refund of Fees

After the zoning inspector has issued any required permit in compliance with these regulations and the fee has been collected as provided for such permit or action there shall be no refunds.